UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WASHINGTON

In re: William Henry Sipes		Case No. 18-40468		
		CHAPTER 13 PLAN		
			<u>1st</u> AMENDED	
	Debtor(s).	Date:	April 18, 2018	
I.	Disclosure of Nonstandard Provisions and Plan's Mod	lificatio	on of Secured Debt:	
	A. Does this plan contain any nonstandard provisions (cl	heck one	e)?	
	Yes No			
	B. Does this plan limit the amount of a secured claim bas	ed on a	valuation of the collateral for the claim	
	(check one)?	00 011 0		
	X_Yes			
	No C. Does this plan avoid a security interest or lien (check)	ona)?		
	X Yes	one):		
	No			
	Debtor has either not indicated "yes" in the applicable section			
	ge in this plan purporting to limit the amount of a secured c		sed on a valuation of the collateral or to avoid a security r Section 1.C, the Debtor may seek to limit the amount of a	
			a security interest or lien through a motion or an adversary	
procee				
TT	Manage Tank Daniel and Diag Daniel's an			
II.	Means Test Result and Plan Duration: Debtor is (check one):			
	x a below median income debtor with a 36 month	applical	ble commitment period	
	an above median income debtor with a 60 month			
TTI 1		٠,		
	an's length shall not be less than the Debtor's applicable co wed unsecured claims over a shorter period or is modified p		ent period unless the plan either provides for payment in full	
	length shall automatically be extended up to 60 months after			
Ι	<i>g.</i>		The second of th	
1TT	Plan Payments to the Tweston			
III.	<u>Plan Payments to the Trustee:</u> o later than 30 days after the order for relief, the Debtor sha	ll comm	nence making payments to the Trustee as follows:	
	A. AMOUNT: \$3,239.72			
	B. FREQUENCY (check one):			
	X Monthly			
	Twice per month Every two weeks			
	Weekly			
	C. TAX REFUNDS: The Debtor (check one):			
		Commit	ted refunds shall be paid in addition to the plan payment	
	amount stated above.			
			n. If no selection is made, tax refunds are committed.	
	D. PAYMENTS: Plan payments shall be deducted or ordered by the Court.	irom the	e Debtor's wages unless otherwise agreed to by the Trustee	
	or ordered by the Court.			

IV. Distribution of Plan Payments by the Trustee:

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Upon confirmation of the plan, the Trustee shall disburse funds received in the following order and creditors shall apply them accordingly, provided that disbursements for domestic support obligations and federal taxes shall be applied according to applicable non-bankruptcy law:

- A. ADMINISTRATIVE EXPENSES:
 - 1. Trustee. The percentage set pursuant to 28 USC §586(e).
 - 2. Other administrative expenses. As allowed pursuant to 11 USC §§ 507(a)(2) or 707(b).
 - 3. <u>The Debtor's Attorney's Fees</u>: Pre-confirmation attorney's fees and/or costs and expenses are estimated to be \$ 5,000.00 . \$ 1,010.00 was paid prior to filing.

Approved attorney compensation shall be paid as follows (check one):

- a. __ Prior to all creditors
- b. Monthly payments of \$
- c. X All remaining funds available after designated monthly payments to the following creditors: RANK ONE.
- d. __ Other: __.

If no selection is made, approved compensation will be paid after the monthly payments specified in Sections IV.B and IV.C.

B. CURRENT DOMESTIC SUPPORT OBLIGATIONS:

<u>Creditor</u>	Monthly amount
-NONE-	\$

C. SECURED CLAIMS: Only creditors holding allowed secured claims specified below or provided in Section X will receive payment from the Trustee. Unless ranked otherwise, payments to secured creditors will be disbursed at the same level. Secured creditors shall retain their liens until the earlier of payment of the underlying debt, determined under nonbankruptcy law, or discharge under 11 U.S.C. § 1328. Secured creditors shall not assess any late charges, provided payments from the plan to the secured creditor are current, subject to the creditor's rights under state law if the case is dismissed.

The interest rates in the plan control except that (a) a lower interest rate included in a creditor's proof of claim shall control; and (b) the interest rate included in a creditor's proof of claim for a claim secured by a mortgage or deed of trust on real property shall control, unless otherwise provided in Section X or ordered following an objection to a proof of claim or in an adversary proceeding. If the interest rate is left blank, the interest rate shall be 12% except that the interest rate for arrearages on claims secured by a mortgage or deed of trust on real property shall be 0%.

For claims secured by personal property, the monthly payment amounts in the plan control.

For claims secured by real property, the monthly payment amounts in the creditor's proof of claim and notice of payment change control unless otherwise provided in Section X.

If overall plan payments are sufficient, the Trustee may increase or decrease post-petition installments for ongoing mortgage payments, homeowner's dues and/or real property tax holding accounts based on changes in interest rates, escrow amounts, dues and/or property taxes.

1. <u>Payments on Claims, or Non-Escrowed Postpetition Property Tax Holding Accounts, Secured Only by Security Interest in the Debtor's Principal Residence</u> (Interest included in payments at contract rate, if applicable):

Ongoing Payments:

Rank Mon	<u>nthly Paymer</u>		<u>Creditor</u>		<u>Collateral</u>				
<u>1</u> \$		2,085.73	Nationstar Mo	rtgage LLC	Residence				
Cure Payments:									
•	Monthly					\mathbf{A}	rrears to be	Interest	
Rank	Payment	<u>Creditor</u>		<u>Collateral</u>			Cured	Rate	
2 \$	671.41	Nationstar Me	ortgage LLC	Residence		\$	40.284.68	0	.00 %

2. Payments on Claims, or Non-Escrowed Postpetition Property Tax Holding Accounts, Secured by Real Property Other than the Debtor's Principal Residence:

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Ongoin	g Payments:					
Rank	Monthly Payme	nt <u>Creditor</u>	Col	<u>lateral</u>	_	Interest Rate
Cure Pa	ayments:					
Rank	Monthly Payment	Creditor -NONE-	<u>Colla</u>	<u>teral</u>	Arrears to be Cured	Interest Rate
	<u> </u>					
	3.	Payments on Clain	is Secured by Per	sonal Property:		
other per pre-con	in any motor vehicle ersonal property acqui firmation adequate prion Monthly Payment	attract balance stated in the acquired for the personal red within one year prece otection payments shall be or, if blank, in the amount	use of the Debtor ding the filing da e paid by the Tru	within 910 days pre te of the petition as s stee in the amounts s	ceding the filing date of specified below. The Debatated as the "Pre-Confirm	otor stipulates that nation Adequate
					Pre-Confirmation	_
Rank	Monthly Payment	Creditor	Collatera	a <u>l</u>	Adequate Protection Monthly Payment	Interest <u>Rate</u>
	\$	-NONE-			\$	
collater as the " specifie	ral. The Debtor stipular Pre-Confirmation Added below after the cred	of claim or in an adversary tes that pre-confirmation a equate Protection Monthly litor files a proof of claim.	adequate protective Payment" or, if Debtor's Value of	on payments shall be blank, in the amount	e paid by the Trustee in the stated as the "Monthly Pre-Confirmatio Adequate Protectio	ne amounts stated Payment" as n Interest
Rank	<u>Payment</u>	<u>Creditor</u> US Bank National	<u>Collateral</u>	<u>Collateral</u>	Monthly Paymer	_
1	\$ 46.48	Association	\$ 8,134.00	2010 Ford F150	_ \$46.4	8 4.25 %
	order stated in 11 U. E. NONPRIO secured, administrat The Trustee shall pa X100%At least \$	CLAIMS: Payment in fu S.C. § 507(a). RITY UNSECURED CLA ive and priority unsecured by filed and allowed nonpro-	AIMS: No funds I creditors are pai iority unsecured	shall be paid to nonp d in full, provided th claims as follows (cl	priority unsecured credito nat no claim shall be paid neck one):	rs until all before it is due.
Rank	Creditor	Amount of	Claim Perc	entage to be Paid	Reason for Special C	Classification

V. <u>Direct Payments to be made by the Debtor and not by the Trustee:</u>

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The following claims shall be paid directly by the Debtor according to the terms of the contract or support or withholding order, and shall receive no payments from the Trustee. (Payment stated shall not bind any party.)

A. DIRECT PAYMENT OF DOMESTIC SUPPORT OBLIGATIONS:

<u>Creditor</u> -NONE-	Current Monthly Sup	oport Obligation Mont \$	hly Arrearage Payment
В.	OTHER DIRECT PAYMENTS:		
Creditor -NONE-	Nature of Debt	Amount of Claim \$	Monthly Payment \$

VI. Secured Property Surrendered:

The secured property described below will be surrendered to the following named creditors on confirmation. The Debtor requests that upon confirmation, each creditor (including successors and assigns) to which the Debtor is surrendering property pursuant to this section be granted relief from the stays of 11 U.S.C. §§ 362(a) and 1301(a) to enforce its security interest against the property including taking possession and sale.

Creditor -NONE-

Property to be Surrendered

VII. Executory Contracts and Leases:

The Debtor will assume or reject executory contracts or unexpired leases as specified below. Assumption will be by separate motion and order, and any cure and/or continuing payments will be paid directly by the Debtor under Section V, unless otherwise specified in the plan. Any executory contract or unexpired lease not assumed pursuant to 11 U.S.C § 365(d) is rejected. If rejected, upon confirmation the creditor is granted relief from the stays of 11 U.S.C. §§ 362(a) and 1301(a) with respect to the property which is the subject of the rejected contract or lease, and any allowed unsecured claim for damages shall be paid under Section IV.E.

Contract/Lease -NONE-

Assumed or Rejected

VIII. Property of the Estate:

Property of the estate is defined in 11 U.S.C. § 1306(a). Unless otherwise ordered by the Court, property of the estate in possession of the Debtor on the petition date shall vest in the Debtor upon confirmation. However, the Debtor shall not lease, sell, encumber, transfer or otherwise dispose of any interest in real property or personal property without the Court's prior approval, except that the Debtor may dispose of unencumbered personal property with a value of \$10,000 or less without the Court's approval. Property (including, but not limited to, bonuses, inheritances, tax refunds or any claim) acquired by the Debtor post-petition shall vest in the Trustee and be property of the estate. The Debtor shall promptly notify the Trustee if the Debtor becomes entitled to receive a distribution of money or other property (including, but not limited to, bonuses, inheritances, tax refunds or any claim) with a value in excess of \$2,500, unless Section X specifically provides for the Debtor to retain the money or property.

IX. Liquidation Analysis Pursuant to 11 USC § 1325(a)(4)

The liquidation value of the estate is $\underline{6,462.04}$. To obtain a discharge, the Debtor must pay the liquidation value or the total of allowed priority and nonpriority unsecured claims, whichever is less. Under 11 U.S.C. §§ 1325(a)(4) and 726(a)(5), interest on allowed unsecured claims under Section IV.D and IV.E shall be paid at the rate of ___ % per annum from the petition date (no interest shall be paid if left blank).

X. Nonstandard Provisions:

All nonstandard provisions of this plan are set forth in this section and separately numbered. Any nonstandard provision placed elsewhere in this plan is void. Any modifications or omissions to the form plan not set forth in this section are void.

- A. All nonexempt proceeds of claim against third parties shall be added to the liquidation value.
- B. If case is dismissed or converted prior to discharge, all funds on hand with the trustee shall be forwarded to debtor's counsel in a form made payable to the debtor.

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By filing this plan, the attorney for the Debtor(s) or the Debtor(s) if not represented by an attorney certify that the wording and order of the provisions in this plan are identical to those contained in Local Bankruptcy Form 13-4, other than any nonstandard provisions included in Section X.

(Signature Page)

/s/ Dorothy A Bartholomew	/s/ William Henry Sipes	April 18, 2018
Dorothy A Bartholomew #20887	William Henry Sipes	Date
Attorney for Debtor(s)	DEBTOR	
April 18, 2018		
Date	DEBTOR	Date